

REMARKS

Claims 1-17 were originally presented for examination. Claims 18-21 have been added for consideration. Claims 4, 5, 7, 11, 12, and 15-17 were withdrawn from consideration as being directed to a non-elected invention. As such, claims 4, 5, 11, 12, and 16-17 have been cancelled. Claims 1 and 8 have been amended to further clarify what Applicant regards as the invention and to further define the invention over the art of record. In addition, claim 1 has been amended to correct a typographical error previously present at line 4 of claim 1. In this regard, Applicant request withdrawal of the objection to claims 1-3 and 6.

Claims 1-3, 6, 8-10, 13, and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bell et al. (U.S. Des. Pat. No. D227,345). Bell et al. discloses a container for liquids. The container generally contains a body for holding liquids that is defined by a planar base, generally planar sidewalls, and complexly shaped top portion that includes a carrying handle and an angled face into which a mouth is formed. Because the placement of the mouth, the fill level of liquid into the container is limited to a level that, at best, is slightly above the lowermost portion of the mouth or opening which the mouth defines. In addition, the cap or cover to the mouth of the liquid container disclosed by Bell et al. sits below the topmost portion of the container. As can best be discerned from the Bell et al. patent, the cover simply closes the mouth of the container and does not provide an expansion zone into which liquid may expand during a state change, e.g., water to ice.

In contrast, claim 1 calls for a body having a planar base and a top with a mouth formed in the top such that an opening defined by the mouth is coplanar with the base. With such a construction, liquid or other cooling substance can be loaded into the body to a level that an angled opening does not permit. Further, claim 1 also calls for the cover to have a hollow interior that communicates with the hollow interior of the body when the cover is engaged with the mouth. In this regard, the cover and the body collectively provide a closed volume that permits limited expansion of liquid contained in the body into the cover. The cover disclosed by Bell et al. closes a mouth of the container but does not provide additional volume into which liquid in the container can expand. Accordingly, Bell et al. fails to teach or suggest that recited in claims 1-3 and 6.

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Claim 8 has been amended to further define the originally recited cover as extending above a top portion of the body of the chilling device. The design of the liquid container disclosed by Bell et al. has a mouth and cover that sit below the topmost portion of the container.

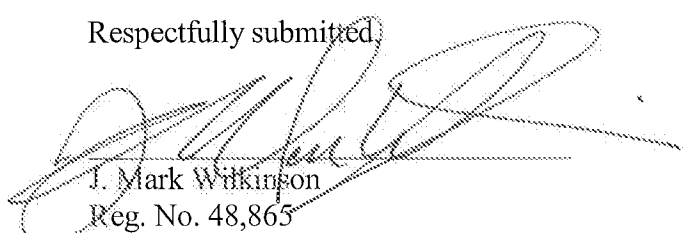
In light of at least the foregoing, claims 1-3, 6-10, and 13-15 are in condition for allowance.

Claims 18-21 are newly presented herein and are believed to be in condition for allowance.

Applicant believes that there are no fees due in connection with this communication. Nevertheless, authorization is given to charge any additional fees or credit any overpayment in connection with this or any future communication to the Deposit Account No. 50-1170. The Examiner is invited to contact the undersigned by telephone if it would help to expedite matters.

Respectfully submitted,

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